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S E C R E T SECTION 01 OF 04 USNATO 000422

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SUBJECT: NATO/VCC: SEPTEMBER 21 VCC AND EXPERTS - ALLIES
REVIEW IMPLEMENTATION COORDINATION AND TERMS OF REFERENCE

REF: STATE 97472

Classified By: Deputy PolAd Alejandro "Hoot" Baez for reasons 1.4(B)&(D).

11. (C) Summary: Experts reviewed implementation coordination procedures in accordance with para 11 of AC/319-D(2009)001(INV) and agreed that, for the purposes of coordinating verification activities in November/December 2009, Allies should continue to use the procedures contained therein. The VCC concurred with this recommendation and, at the behest of Allies concerned with the fact that Russia's recent Vienna Document 1999 (VD99) inspection prevented Allies from inspecting Belarus during a major military exercise, tasked experts to begin reviewing the procedures early in 2010 with a view to improving procedures for scheduling inspections.

12. (SBU) Summary continued: Allies proposed modest, non-substantive changes to the draft Terms of Reference (TOR) for VCC Experts, which the International Staff (IS) should distribute under a new revision. Allies agreed to extend the meeting of Experts in November to include Monday, November 16, in order to ensure that Experts complete coordination of verification activities for 2010. The next VCC will be held on the afternoon of November 17. End Summary.

IMPLEMENTATION COORDINATION GETS TOP BILLING

13. (C) The September 21 VCC was preceded by a short-notice meeting of Experts. According to the Experts Chair (Wiederholtz), the IS decided to call a meeting of VCC Experts after realizing that Allies are required to annually review the procedures for coordinating verification activities in accordance with AC/319-D(2009)001(INV), Implementation Coordination. Because Allies would begin the process by submitting bids by October 15, this meeting would be the only opportunity available for Allies to discuss procedures. The central theme in the ensuing discussion was the loss of inspection quotas available for use by Allies to verify military activity in Russia and Belarus. Russia's recent inspection in Belarus used the last opportunity for an inspection in Belarus.

14. (C) Striking a familiar tone, Norway voiced regret at the lack of available inspection quotas at the same time Russia and Belarus are kicking off large-scale exercises. Norway noted that while Russia had used the last inspection quota

for Belarus, Allies were just as responsible for their predicament as the Alliance had also expended two inspections each in Belarus and Russia, choosing to use quotas for "military contacts" rather than inspecting military activity.

Denmark strongly supported Norway's position, and said it would follow Norway's lead and only conduct inspections in the presence of military activity. Both Allies advocated changes to the Allied procedures, which would limit the use of inspections in the absence of military activity. Denmark also made reference to the Danish-Norwegian proposal to allow more VD99 evaluation exchanges for fewer inspections. The Czech Republic opined that para 9 of the implementation coordination agreement, which states, "In the case Allies receive indications of military activities, Allies can revise the deconflicted schedule through the VCC" may need revision.

15. (C) Canada argued against a change to the text of the document, but proposed that Allies simply refrain from scheduling inspections for countries of interest (Russia, Belarus and Kazakhstan) until such time as Allies receive information on impending military activities in a given state. Canada also reminded Allies of the Turkish position in 2008, in which Turkey argued that a country holding a quota had to put its planned inspection on the annual calendar in order for the quota to be valid (and so that all Allies holding quotas would be at risk of losing the quota to an uncoordinated inspection by a non-Ally). (This was a response to attempts by Norway to hold its quotas in reserve until it had indications of military activity in the states for which it held quotas.) The UK also opposed changing the

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agreement, noting that in the end it national priorities will always drive decisions on how to use inspection quotas.

16. (C) U.S. Rep (Meyer) said that the U.S. considers VD99 inspections to be a valuable verification tool, and that in principle it would be desirable to utilize inspections to verify military activity. At the same time, the U.S. would not support a position that would envisage quotas being left unused at the end of the year in the absence of military activity. Rather than amending the text of the agreement, Meyer opined that it might be sufficient for Allies bidding on countries of interest to commit to using their quotas to inspect military activity. Such a commitment might be demonstrated by scheduling the inspection on the deconflicted calendar in a week where one might expect, based on historical data, to have a greater chance of capturing large-scale exercises (i.e. in July - October.) Under the current procedures, Allies could adjust their schedules as information on activities emerged.

17. (C) The UK stated that it supported the paper as it stands. The problem is one of Allies differing national policies. Some want to limit inspections to military activity. Other use them for military-to-military contacts. Until Allies move away from using inspections for military-to-military contacts, the problem of prematurely exhausting quotas will persist.

18. (C) After a long discussion, Wiederhotlz noted that there is insufficient time before the 2009 coordination process to reach agreement on edits to the paper. Experts agreed, therefore, to recommend to the VCC that Allies proceed with coordination in November in accordance with AC/319-D(2009)001(INV), but that the VCC task experts to review implementation procedures early in 2010 with a view to improving inspection scheduling.

EXPERTS' TERMS OF REFERENCE (TOR)

19. (SBU) Allies were generally supportive of the IS draft Terms of Reference for the ad-hoc Group of Experts. U.S.

edits and interpretations were deemed useful by the VCC Chair, and there were no comments from other Allies. Germany proposed deleting the word "operational" from para 1 and "implementation" from para 3. Canada noted that the contingency observer roster for withdrawal of Russian equipment from Moldova has been maintained in the VCC and recommended removing para 2.c. Finally, France proposed two changes to the Chair's note introducing the draft. The Chair will distribute a revision with the above mentioned edits and the WP will remain on the VCC agenda for November.

COMPLIANCE ISSUES

¶10. (S) Belgium reported that it had had to reschedule a VD99 inspection to Tajikistan from Calendar Week 38 (14-18 September) to Calendar Week 48 (23-27 November), after having notified the inspection (through the OSCE network and by fax) and receiving no reply from the Tajikistan. When the Tajiks finally responded they reported that they were unable to comply with the requirements of VD 99 as they received the notification late as a result of an outage in their OSCE network. Canada noted that Belgium's fax would seem to have arrived within the specified timelines for notification and that Tajikistan could have met their requirements in this case. One Ally opined that a Tajik national holiday on 9 September may have played a role in Tajikistan's response. Denmark announced that its inspection of Tajikistan scheduled for week 45 could serve as another test of Tajikistan's responsiveness.

¶11. (S) Canada reported that it had conducted a bilateral inspection of Georgia from 5-9 July 2009. During the inspection the Georgian escorts refused to provide the team with an over flight of the specified area in accordance with VD99, paras (80), (83) and (99-102), citing weather, maintenance and safety concerns. In subsequent bilateral

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consultations in Ottawa, the Georgian verification center admitted that Georgia has never approved over flight and that no one had ever challenged Georgia's policy. Canada said that Allies should consider a standard reply to Georgia. U.S. Rep (Meyer) asked whether Canada had any plans to follow up with Georgia in Vienna. Canada said it was not sure if it would pursue the issue in the FSC, but speculated that it could come up at the December meeting of Heads of Verification. The Chair recommended Allies research the issue in the interim and return to it in November.

¶12. (C) Both in Experts and in the VCC, Denmark and Norway, mused over the implications of Russia's VD inspection to Belarus. Few offered explicit opinions of the nature of Russia's actions. Norway, while disappointed in the lost opportunity, argued that Allies were to blame as much, or more, than Russia for their predicament. Per reftel, Meyer offered a brief report of U.S. contacts with Russia and Belarus in Vienna.

OTHER BUSINESS

¶13. (SBU) Canada asked whether the airspace restriction in the Northern Caucasus remained in place for Open Skies flights despite "Russian announcements" that hostilities had ended. If it had been removed, Canada mused whether that would have any implication for the conduct of VD99 activities in the same area. The Chair recommended returning to this issue next meeting. (Comment. On the margins Meyer asked Canada to clarify to which announcement from the Russian government it was referring. Canada could not provide a reference, and seemed confused as to whether the announcement referred to conflict in Russian territory (i.e. Chechnya) or was in connection with the 2008 Russia-Georgia conflict. End

Comment.)

¶14. (C) On the margins, Canada asked if the U.S. could provide it with a written copy of its objections to Canada's Food for Thought paper on Force Majeure. Meyer said he would pass the request to Washington. (Comment: The Canadian delegation in Vienna reported that it had advised Ottawa to have the Canadian VCC delegation revisit the paper in the VCC. The VCC delegation said did not intend to reintroduce the paper, but wanted U.S. comments regarding all-weather vs. fair-weather application of force majeure. End Comment.)

¶15. (SBU) The Chair passed out a copy of a photo of an R145 BM, modified BTR 60 APC LAL that appeared to have been modified to incorporate a BTR-80-type engine and has a rear end that looks like that of a BTR-80. The Chair stated that this vehicle should be notified as a new model of the R-145 BM.

¶16. (SBU) Hungary and Estonia noted they were waiting on payments from the Russian federation for past Open Skies missions while the Czech Republic reported that Ukraine had finally paid its outstanding OS bill.

¶17. (SBU) The IS reported that the NATO School Oberammergau has resolved its issues over holding courses in 2010 during the "Passion Play" season and does not expect to have to reschedule or relocated courses.

INSPECTION SCHEDULE CHANGES

¶18. (S) VD99: Belgium moved its VD99 inspection to Calendar week 48.

¶19. (S) CFE:

-- Germany cancelled its bilateral inspection to Ukraine scheduled in TB-36.

-- Germany rescheduled its quota to Ukraine from TB-51 to TB-36.

-- Netherlands rescheduled its inspection to Armenia from

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TB-53 to TB-51.

NEXT MEETINGS

¶20. (SBU) The following dates for future meetings were proposed/ and agreed as annotated below:

2009

-- 9 October (Experts training review, participation by DTRA/others as required--agreed)

-- 16-17 November (Experts meeting 16 and 17 (am) to coordinate VD 99 verification activities; VCC 17 Nov (pm)--agreed)

-- 17 December (Experts meeting all day to coordinate CFE quotas; no VCC--agreed)

2010

--19 or 20 or 21 January (VCC and experts; one day based on room availability--tentative)

-- 2-3 February (Outstanding Implementation Issues (OII))

-- 25 February, 13 April, 27 May, and 8 July (VCC and

experts--tentative)
DAALDER